

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN E. TAYLOR, JR.,

Plaintiff,

v.

LISA GAYLE, *et al.*,

Defendant.

Case No. 11-cv-104-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff John E. Taylor, Jr.'s "Motion to Object to Court's Order" (Doc. 117) and "Motion for the District Court Judge to Reconsider Documents by Subpoena" (Doc. 120), which the Court construes as objections to Magistrate Judge Philip M. Frazier's April 12, 2012, order (Doc. 116) denying without prejudice Taylor's request to issue two subpoenas duces tecum.

A district court reviewing a magistrate judge's decision on nondispositive issues should modify or set aside that decision if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). Accordingly, the Court will affirm Magistrate Judge Frazier's decision unless his factual findings are clearly erroneous or his legal conclusions are contrary to law. *Id.*

Taylor objects on the basis that issuance of the subpoenas would be the most efficient way to get information he believes he needs to withstand a motion for summary judgment and for trial. However, efficiency does not excuse Taylor's failure to observe discovery rules as set forth in Magistrate Judge Frazier's order. That order was not clearly erroneous or contrary to law. For this reason, the Court **AFFIRMS** Magistrate Judge Frazier's April 12, 2012, order (Doc. 116) and **OVERRULES** Taylor's objections (Docs. 117 & 120).

IT IS SO ORDERED.

DATED: May 24, 2012

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE